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MEMORANDUM ENDORSED.

Via ECF & Personal Delivery

August 6, 2018

Hon. Gabriel W. Gorenstein
Chief U.S. Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

Because the parties' briefs sufficiently describe the issues in this case, this application is denied. So ordered. July 12, 2019.


GABRIEL W. GORENSTEIN
United States Magistrate Judge

Re: *Starr Indemnity & Liability Company v. Brightstar Corp., et al.*
1:13-cv-08580-GWG (S.D.N.Y.)

Dear Judge Gorenstein:

Defendants Brightstar Corp. and Brightstar Germany (collectively "Brightstar") write pursuant to the Court's Individual Practice Rule 2(A) to request a pre-motion conference on Brightstar's Motion for Leave to File Surreply.

I. Relevant Background

This lawsuit involves Brightstar's claim for insurance coverage for approximately 200,000 mobile phones valued at over \$80 million owned by Brightstar and misappropriated from a warehouse in Germany. The warehouse was owned and operated by a third-party, getgoods.de Vertriebs GmbH AG ("Getgoods"), and the phones were being stored in the warehouse pursuant to a Master Agreement for Performance of Logistics Services between Getgoods and Brightstar. Getgoods' CEO confessed to misappropriating the phones and was later indicted by German prosecutors. Brightstar tendered its claim to Defendant Starr Indemnity & Liability Company ("Starr"), which refused to pay the claim and instituted this declaratory judgment action.

On May 25, 2018, Brightstar and Starr filed Cross-Motions for Partial Summary Judgment. Pursuant to Rule 2(B) of Your Honor's Individual Practices, the parties set a briefing schedule for the motions, with Reply papers due on July 13, 2018. Thereafter, the parties agreed to extend the Reply deadline to July 24, 2018. Dkt. No. 146.

II. Starr's Reply

In accordance with the agreed briefing schedule, the parties filed their respective Reply papers on July 24, 2018. Starr filed a ninety-four (94) page Reply Memorandum

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